

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

IN RE:	§	
	§	Case No. 15-70561
HECTOR DE LA ROSA	§	
TERRI DE LA ROSA	§	
Debtors	§	CHAPTER 13

**DEBTORS' NOTICE OF VOLUNTARY CONVERSION OF BANKRUPTCY CASE FROM
CHAPTER 13 TO CHAPTER 7**

TO THE HONORABLE EDUARDO V. RODRIGUEZ

COME NOW, Debtor Hector De La Rosa and Debtor Terri De La Rosa (collectively, the "Debtors"), and file this Notice of Voluntary Conversion of Bankruptcy Case From Chapter 13 to Chapter 7 (the "Notice"), pursuant to 11 U.S.C. §1307(a), 11 U.S.C. §109(e), and Federal Bankruptcy Rule of Procedure 1017(f)(3), and in support thereof, would show as follows:

A. Facts

1. Debtors filed their petition under Chapter 13 of Title 11 of the United States Code on November 2, 2015 (the "Filing Date").
2. The Chapter 13 Trustee for this case is: Cindy Boudloche.
3. The additional filing fee is being paid concurrently with the filing of this Notice.
4. This Notice is filed in good faith.
5. The Debtors are eligible for relief under Chapter 7 of Title 11 of the United States Code.
6. On November 16, 2015, the Debtors filed their Motion to Extend Deadline to File Schedules or Provide Required Information [Doc. 10] seeking to extend the

deadline to file their Schedules and Statement of Financial Affairs to December 7, 2015.

Debtors anticipate filing their chapter 7 Schedules prior to that date.

B. Notice of Conversion Does Not Require Entry of Order

7. Federal Rule of Bankruptcy Procedure 1017(f)(3) provides that a “chapter 13 case shall be converted without court order when the debtor files a notice of conversion under section 1307(a).”

8. Under Rule 1017(f)(3), the filing date of this Notice becomes the date of the conversion order for purpose of applying section 348(c) and Rule 1019.

FOR THESE REASONS, Debtors provide this Notice to all parties in interest and creditors of record.

Signed on the 30th day of November 2105.

Respectfully submitted,

By: /s/ Jana Smith Whitworth
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CERTIFICATE OF SERVICE

I certify that on November 30, 2015, a copy of the aforementioned was sent to the following and all creditors in the manner indicated:

Cindy Boudloche
Chapter 13 Trustee
555 N. Carancahua, Ste 600
Corpus Christi, Texas 78401

Via ECF

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P.O. Box 30285
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Via U.S.P.S. – First Class Mail

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Via U.S.P.S. – First Class Mail

Virtuoso SRC
4500 E. Cherry Creek South
Denver, CO 80246

Via U.S.P.S. – First Class Mail

And all creditors of notice.

/s/ Jana Smith Whitworth
Jana Smith Whitworth